

### REMARKS

Claims 1-5, 7, 8, 12-15, 18, and 19 are pending in the application. Claims 1, 8, 13, 18, and 19 have been amended hereby. Claims 1, 13, and 18 are in independent form. Entry of this Amendment and favorable reconsideration is requested.

Applicant notes with appreciation the Examiner's finding of allowable subject matter in Claim 8, and that Claim 8 would be allowable if rewritten to overcome the rejection under Section 112 and to include all the limitations of the base claim and any intervening claims.

The title of the invention has been amended hereby to read --IMAGE PROCESSING DEVICE AND IMAGE PROCESSING METHOD FOR RENDERING THREE-DIMENSIONAL OBJECTS--. Withdrawal of the objection to the title is requested.

Reconsideration is respectfully requested of the rejection of Claims 18 and 19 under 35 U.S.C. §101, as being directed to non-statutory subject matter.

Claims 18 and 19 have been amended to recite a "non-transitory" computer readable recording medium.

Accordingly, it is respectfully submitted that amended Claims 18 and 19 recite statutory subject matter.

Reconsideration is respectfully requested of the rejection of Claims 1, 8, 13, 18, and 19 under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 1, 8, 13, 18, and 19 have been amended as suggested by the Examiner to address the issues raised in the Office Action in paragraph 5.

Accordingly, it is respectfully submitted that Claims 1, 8, 13, 18, and 19 are clear and definite in their recitation of the present invention, and meet all requirements of 35 U.S.C. §112.

Reconsideration is respectfully requested of the rejection of Claims 1-5, 7, 12-15, 18, and 19 under 35 U.S.C. §102(b), as being anticipated by U.S. Patent Publication No. 2004/0212619 ("Saito").

It is respectfully submitted that Saito fails to teach or suggest an area discarder "which locates subareas that survived the discarding according to a predetermined rule that arranges the subareas in a predetermined order without creating any intervals between the subareas, while allowing a change in the relative position of the subarea in the originating unit area to which the subarea belonged before the division, so as to generate a merged area," as recited in amended independent Claim 1, and similarly in amended independent Claims 13 and 18. See Figs. 6, 10, and 13 of the present application, for example.

Further, it is respectfully submitted that Saito fails to teach or suggest an area discarder "which generates positional information indicating the relative position of each subarea included in the merged area within the unit area to which the subarea belonged before the division," as recited in amended independent Claim 1, and similarly in amended independent Claims 13 and 18.

The presently claimed invention requires "positional information" to allow a change in the position of the subareas ("quads"), before and after the merged area is generated, so that the area writer can operate as recited.

In contrast, according to Saito, the relative positions of the subareas remain unchanged before and after the merge. Since the relative positions remain unchanged, there is no need to generate positional information. See Figs. 3, 11, 12, 14, 15, 17, and 18 of Saito showing that a quad is not permitted to move between the original stamp and the merged stamped.

Accordingly, it is respectfully submitted that amended independent Claims 1, 13, and 18, and the claims depending therefrom, are not anticipated by Saito.

In view of the amendments and remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Entry of this Amendment and favorable reconsideration is earnestly solicited.

Respectfully submitted,

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